

BILL**SECTION 1187**

1 **SECTION 1187.** 44.53 (title) of the statutes is renumbered 41.53 (title).

2 **SECTION 1188.** 44.53 (1) (intro.) of the statutes is renumbered 41.53 (1) (intro.).

3 **SECTION 1189.** 44.53 (1) (a) of the statutes is renumbered 41.53 (1) (a).

4 **SECTION 1190.** 44.53 (1) (b) of the statutes is renumbered 41.53 (1) (b).

5 **SECTION 1191.** 44.53 (1) (c) of the statutes is renumbered 41.53 (1) (c).

6 **SECTION 1192.** 44.53 (1) (d) of the statutes is renumbered 41.53 (1) (d).

7 **SECTION 1193.** 44.53 (1) (e) of the statutes is renumbered 41.53 (1) (e).

8 **SECTION 1194.** 44.53 (1) (f) of the statutes is renumbered 41.53 (1) (f) and
9 amended to read:

10 41.53 (1) (f) Plan and implement, when funds are available in the
11 appropriations under s. ~~20.215 (1)~~ 20.380 (3) (b) and (o), a program of contracts with
12 or grants-in-aid to groups or, in appropriate cases, individuals of exceptional talent
13 engaged in or concerned with the arts. No grantee may receive any funds distributed
14 as grants-in-aid under this paragraph unless the grantee provides at least 50% of
15 the estimated total cost of the project, either in the form of moneys or in-kind
16 contributions of equivalent value, to be funded under this paragraph.

17 **SECTION 1195.** 44.53 (1) (fm) of the statutes is renumbered 41.53 (1) (fm) and
18 amended to read:

19 41.53 (1) (fm) Conduct a program identical to that described in par. (f), but only
20 for American Indian individuals and groups. The program shall be funded from the
21 appropriation under s. ~~20.215 (1)~~ 20.380 (3) (km).

22 **SECTION 1196.** 44.53 (1) (g) of the statutes is renumbered 41.53 (1) (g) and
23 amended to read:

24 41.53 (1) (g) Arrange and schedule the portrait of the governor or any former
25 governor. Costs incurred under this paragraph shall be charged to the appropriation

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1 under s. ~~20.215 (1)~~ 20.380 (3) (c) up to a limit of \$10,000 per portrait. Costs in excess
2 of \$10,000 per portrait may be charged to the appropriation under s. ~~20.215 (1)~~
3 20.380 (3) (c) only with the prior approval of the joint committee on finance.

4 **SECTION 1197.** 44.53 (1) (h) of the statutes is renumbered 41.53 (1) (h) and is
5 amended to read:

6 41.53 (1) (h) Annually, award an amount equal to at least 5% of all state and
7 federal funds received by the board in that year for grants to artists and arts
8 organizations to artists who are minority group members and arts groups composed
9 principally of minority group members. In this paragraph, "minority group member"
10 has the meaning specified in s. ~~560.036~~ 490.04 (1) (f).

11 **SECTION 1198.** 44.53 (1) (i) of the statutes is renumbered 41.53 (1) (i).

12 **SECTION 1199.** 44.53 (1) (j) of the statutes is renumbered 41.53 (1) (j) and
13 amended to read:

14 41.53 (1) (j) Annually pay to the Milwaukee Foundation, Inc., for deposit in the
15 High Point fund, the amount appropriated under s. ~~20.215 (1)~~ 20.380 (3) (e).

16 **SECTION 1200.** 44.53 (2) (intro.) of the statutes is renumbered 41.53 (2) (intro.).

17 **SECTION 1201.** 44.53 (2) (a) of the statutes is renumbered 41.53 (2) (a).

18 **SECTION 1202.** 44.53 (2) (am) of the statutes is renumbered 41.53 (2) (am).

19 **SECTION 1203.** 44.53 (2) (b) of the statutes is renumbered 41.53 (2) (b).

20 **SECTION 1204.** 44.53 (2) (c) of the statutes is amended to read:

21 44.53 (2) (c) Award an operational grant to an organization if the sum of all
22 operational grants awarded in the current year does not exceed 50% of the sum of all
23 grants awarded to organizations from the appropriations under s. ~~20.215 (1)~~ 20.380
24 (3) (b) and (o) in the current year. In this paragraph, "operational grant" means a

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1 grant awarded by the board to support those administrative costs of an organization
2 that are not directly related to the development of an artistic performance or product.

3 **SECTION 1205.** 44.55 of the statutes is amended to read:

4 **44.55 Executive secretary.** The board secretary shall appoint an executive
5 secretary of the board outside the classified service to serve at its the pleasure of the
6 secretary.

7 **SECTION 1206.** 44.56 (title) of the statutes is renumbered 41.56 (title).

8 **SECTION 1207.** 44.56 (1) of the statutes is renumbered 41.56 (1).

9 **SECTION 1208.** 44.56 (2) of the statutes is renumbered 41.56 (2) and amended
10 to read:

11 41.56 (2) Every recipient of a grant awarded by the board under the board's
12 general grants program or community arts program from the appropriation under
13 s. ~~20.215 (1)~~ 20.380 (3) (b) shall perform a public service ~~which~~ that shall be mutually
14 agreed upon by the board and the grant recipient at the time the grant is awarded.

15 **SECTION 1209.** 44.565 (title) of the statutes is renumbered 41.565 (title).

16 **SECTION 1210.** 44.565 (1) of the statutes is renumbered 41.565 (1).

17 **SECTION 1211.** 44.565 (2) (a) of the statutes is amended to read:

18 44.565 (2) (a) From the appropriation under s. ~~20.215 (1)~~ 20.380 (3) (d), the
19 board shall award arts challenge initiative grants to arts organizations and local arts
20 agencies.

21 **SECTION 1212.** 44.565 (2) (b) (intro.) of the statutes is renumbered 41.565 (2)
22 (b) (intro.) and amended to read:

23 41.565 (2) (b) (intro.) The board shall award grants from the appropriation
24 under s. ~~20.215 (1)~~ 20.380 (3) (d) to match up to 25% of an arts organization's or a local
25 arts agency's income from contributions for the fiscal year in which a grant may be

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1 awarded ~~which~~ that exceeds the amount of income from contributions in the previous
2 fiscal year and income from earned income ~~which~~ that exceeds the amount of earned
3 income from the previous fiscal year in that fiscal year subject to the following
4 requirements:

5 **SECTION 1213.** 44.565 (2) (b) 1. of the statutes is renumbered 41.565 (2) (b) 1.

6 **SECTION 1214.** 44.565 (2) (b) 2. of the statutes is renumbered 41.565 (2) (b) 2.

7 **SECTION 1215.** 44.565 (2) (c) of the statutes is renumbered 41.565 (2) (c).

8 **SECTION 1216.** 44.565 (2) (d) of the statutes is renumbered 41.565 (2) (d).

9 **SECTION 1217.** 44.565 (2) (e) of the statutes is renumbered 41.565 (2) (e).

10 **SECTION 1218.** 44.565 (3) of the statutes is renumbered 41.565 (3) and amended
11 to read:

12 41.565 (3) If the amount in the appropriation under s. ~~20.215 (1)~~ 20.380 (3) (d)
13 in any fiscal year is insufficient to fund all grants under this section, the board shall
14 award grants, including the minimum and maximum grants under sub. (2) (e), on
15 a prorated basis.

16 **SECTION 1219.** 44.565 (4) of the statutes is renumbered 41.565 (4).

17 **SECTION 1220.** 44.57 (1) of the statutes is repealed.

18 **SECTION 1221.** 44.57 (2) of the statutes is repealed.

19 **SECTION 1222.** 44.57 (3) of the statutes is repealed.

20 **SECTION 1223.** 44.57 (4) of the statutes is repealed.

21 **SECTION 1224.** 44.57 (5) (intro.) of the statutes is amended to read:

22 44.57 (5) BOARD RESPONSIBILITIES. (intro.) After acquisition of the work of art
23 under sub. (4) s. 44.57 (4), 2009 stats., the board shall:

24 **SECTION 1225.** 44.57 (5) (a) of the statutes is repealed.

25 **SECTION 1226.** 44.57 (5) (b) of the statutes is repealed.

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1 **SECTION 1227.** 44.57 (5) (c) of the statutes is amended to read:

2 44.57 (5) (c) Cooperate with the bureau of facilities management and consult
3 with the artist or the artist's representative to ensure that each work of art acquired
4 under ~~this section s. 44.57 (4), 2009 stats.,~~ is properly maintained and is not
5 artistically altered without the consent of the artist or the artist's representative.

6 **SECTION 1228.** 44.57 (5) (d) of the statutes is amended to read:

7 44.57 (5) (d) Ensure that any work of art acquired under ~~this section s. 44.57~~
8 ~~(4), 2009 stats.,~~ is maintained and displayed on the grounds of the state building for
9 at least 25 years, unless the board finds that earlier removal is in the public interest.
10 When the board, in consultation with the agency making principal use of the building
11 to which the work of art is appurtenant, determines that the work of art should be
12 removed, the board shall loan the work of art to an accredited museum in the state
13 or to an educational or other appropriate public institution capable of maintaining
14 and exhibiting the work of art.

15 **SECTION 1229.** 44.60 of the statutes is renumbered 41.60.

16 **SECTION 1230.** 44.62 (title) of the statutes is renumbered 41.62 (title).

17 **SECTION 1231.** 44.62 (1) (intro.) of the statutes is renumbered 41.62 (1) (intro.).

18 **SECTION 1232.** 44.62 (1) (a) of the statutes is renumbered 41.62 (1) (a) and
19 amended to read:

20 41.62 (1) (a) "Local arts agency" has the meaning given in s. ~~44.565~~ 41.565 (1).

21 **SECTION 1233.** 44.62 (1) (b) of the statutes is renumbered 41.62 (1) (b).

22 **SECTION 1234.** 44.62 (2) of the statutes is renumbered 41.62 (2) and amended
23 to read:

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1 41.62 (2) Subject to sub. (3), the board shall award grants under the Wisconsin
2 regranting program to local arts agencies and municipalities. Grants shall be
3 awarded from the appropriations under s. ~~20.215 (1)~~ 20.380 (3) (f) and (j).

4 **SECTION 1235.** 44.62 (3) of the statutes is renumbered 41.62 (3).

5 **SECTION 1236.** 44.62 (4) of the statutes is renumbered 41.62 (4).

6 **SECTION 1237.** 45.03 (11) (title) of the statutes is repealed.

7 **SECTION 1238.** 45.03 (11) (a) of the statutes is renumbered 440.03 (18) (am).

8 **SECTION 1239.** 45.03 (11) (b) of the statutes is renumbered 440.03 (18) (b).

9 **SECTION 1240.** 45.03 (13) (L) of the statutes is amended to read:

10 45.03 (13) (L) Provide verification to the educational institution of the
11 information required under s. 36.27 (3p) (a), 37.27 (3p) (a), or 38.24 (8) (a).

12 **SECTION 1241.** 45.03 (13) (m) of the statutes is amended to read:

13 45.03 (13) (m) Provide verification to the educational institution of the
14 information required under s. 36.27 (3n) (a), 37.27 (3n) (a), or 38.24 (7) (a).

15 **SECTION 1242.** 45.03 (20) of the statutes is repealed.

16 **SECTION 1243.** 45.03 (20m) of the statutes is created to read:

17 45.03 (20m) TRANSFER OF FUNDS TO THE VETERANS TRUST FUND. On June 30 of
18 each fiscal year, the department of veterans affairs may transfer all or part of the
19 unencumbered balance of any of the appropriations under s. 20.485 (1) (g), (gd), (gk),
20 (h), (hm), (i), or (j) from the general fund to the veterans trust fund.

21 **SECTION 1244.** 45.20 (1) (d) of the statutes is amended to read:

22 45.20 (1) (d) "Tuition," when referring to the University of Wisconsin-Madison
23 or University of Wisconsin System, means academic fees and segregated fees; when
24 referring to the technical colleges, means "program fees" and "additional fees" as
25 described in s. 38.24 (1m) and (1s); and when referring to a high school, a school that

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1 is approved under s. ~~45.03 (11)~~ 440.03 (18), or a proprietary school that is approved
2 under s. 38.50, means the charge for the courses for which a person is enrolled.

3 **SECTION 1245.** 45.20 (2) (a) 1. of the statutes is amended to read:

4 45.20 (2) (a) 1. The department shall administer a tuition reimbursement
5 program for eligible veterans enrolling as undergraduates in any institution of
6 higher education in this state, enrolling in a school that is approved under s. ~~45.03~~
7 ~~(11)~~ 440.03 (18), enrolling in a proprietary school that is approved under s. 38.50,
8 enrolling in a public or private high school, enrolling in a tribal school, as defined in
9 s. ~~115.011~~ 115.001 (15m), in any grade from 9 to 12, or receiving a waiver of
10 nonresident tuition under s. 39.47.

11 **SECTION 1246.** 45.20 (2) (a) 2. (intro.) of the statutes is amended to read:

12 45.20 (2) (a) 2. (intro.) A veteran who is a resident of this state and otherwise
13 qualified to receive benefits under this subsection may receive the benefits under
14 this subsection upon the completion of any correspondence courses or part-time
15 classroom study from an institution of higher education located outside this state,
16 from a school that is approved under s. ~~45.03 (11)~~ 440.03 (18), or from a proprietary
17 school that is approved under s. 38.50, if any of the following applies:

18 **SECTION 1247.** 45.20 (2) (c) 1. of the statutes is amended to read:

19 45.20 (2) (c) 1. A veteran who meets the eligibility requirements under par. (b)
20 1. may be reimbursed upon satisfactory completion of an undergraduate semester in
21 any institution of higher education in this state, or upon satisfactory completion of
22 a course at any school that is approved under s. ~~45.03 (11)~~ 440.03 (18), any
23 proprietary school that is approved under s. 38.50, any public or private high school,
24 any tribal school, as defined in s. 115.001 (15m), that operates any grade from 9 to
25 12, or any institution from which the veteran receives a waiver of nonresident tuition

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1 under s. 39.47. Except as provided in par. (e), the amount of reimbursement may not
2 exceed the total cost of the veteran's tuition minus any grants or scholarships that
3 the veteran receives specifically for the payment of the tuition, or, if the tuition is for
4 an undergraduate semester in any institution of higher education, the standard cost
5 of tuition for a state resident for an equivalent undergraduate semester at the
6 University of Wisconsin-Madison, whichever is less.

7 **SECTION 1248.** 45.20 (2) (d) 1. (intro.) of the statutes is amended to read:

8 45.20 (2) (d) 1. (intro.) Subject to subd. 1m., a veteran's eligibility for
9 reimbursement under this subsection at any institution of higher education in this
10 state, at a school that is approved under s. ~~45.03 (11)~~ 440.03 (18), at a proprietary
11 school that is approved under s. 38.50, at a public or private high school, at a tribal
12 school, as defined in s. 115.001 (15m), that operates any grade from 9 to 12, or at an
13 institution where he or she is receiving a waiver of nonresident tuition under s. 39.47
14 is limited to the following:

15 **SECTION 1249.** 45.50 (1) (a) of the statutes is renumbered 45.50 (1) and
16 amended to read:

17 45.50 (1) VETERANS HOME AT KING. The department shall operate the Wisconsin
18 Veterans Home at King and employ a commandant for the home. ~~The department~~
19 ~~shall employ a commandant for the Wisconsin Veterans Home at Union Grove and~~
20 ~~may employ a commandant for the Wisconsin Veterans Home at Chippewa Falls.~~
21 ~~The department may employ any personnel that are necessary for the proper~~
22 ~~management and operation of veterans homes. In compliance with the~~
23 ~~compensation plan established pursuant to s. 230.12 (3), a commandant may~~
24 ~~recommend to the director of personnel charges for meals, living quarters, laundry,~~
25 ~~and other services furnished to employees and members of the employees' family~~

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1 ~~maintained at veterans homes. The department shall provide complete personal~~
2 ~~maintenance and medical care, including programs and facilities that promote~~
3 ~~comfort, recreation, well-being, or rehabilitation, to all members of veterans homes.~~

4 **SECTION 1250.** 45.50 (1) (b) of the statutes is renumbered 45.50 (2m) (e) and
5 amended to read:

6 45.50 (2m) (e) All moneys received as reimbursement for services to veterans
7 homes employees or as payment for meals served to guests at veterans homes shall
8 be accumulated in an account named "employee maintenance credits" and shall be
9 paid into the general fund within one week after receipt and credited to the
10 appropriation account under s. 20.485 (1) (gk). This paragraph does not apply to any
11 agreement entered into pursuant to par. (c).

12 **SECTION 1251.** 45.50 (1) (c) of the statutes is renumbered 45.50 (2m) (d) and
13 amended to read:

14 45.50 (2m) (d) Veterans homes with a skilled nursing facility shall include a
15 geriatric evaluation, research, and education program. The program staff shall be
16 funded from the appropriations under s. 20.485 (1) (hm), (j), and (mj).

17 **SECTION 1252.** 45.50 (2) (a) of the statutes is renumbered 45.50 (2b) and
18 amended to read:

19 45.50 (2b) Subject to authorization under ss. 13.48 (10) and 20.924 (1), the
20 department may construct or renovate and operate residential, treatment, and
21 nursing care facilities, including a community-based residential facility, to be known
22 as the Wisconsin Veterans Home at Union Grove. The department shall employ a
23 commandant for the Wisconsin Veterans Home at Union Grove.

24 **SECTION 1253.** 45.50 (2) (b) of the statutes is renumbered 45.50 (2d) and
25 amended to read:

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1 45.50 (2d) Subject to authorization under ss. 13.48 (10) and 20.924 (1), the
2 department may develop, construct or renovate, and operate residential, treatment,
3 and nursing care facilities and programs for veterans in northwestern Wisconsin, on
4 the property of the Northern Wisconsin Center for the Developmentally Disabled in
5 Chippewa Falls to be known as the Wisconsin Veterans Home at Chippewa Falls.
6 The programs and facilities may include an assisted living facility, a skilled nursing
7 facility, a medical clinic, an adult day health care center, an activities center, and a
8 veterans assistance program. The department may employ a commandant for the
9 Wisconsin Veterans Home at Chippewa Falls.

10 **SECTION 1254.** 45.50 (2b) (title) of the statutes is created to read:

11 45.50 (2b) (title) VETERANS HOME AT UNION GROVE.

12 **SECTION 1255.** 45.50 (2d) (title) of the statutes is created to read:

13 45.50 (2d) (title) VETERANS HOME AT CHIPPEWA FALLS.

14 **SECTION 1256.** 45.50 (2m) (title) of the statutes is created to read:

15 45.50 (2m) (title) SERVICES; STAFFING OF HOMES.

16 **SECTION 1257.** 45.50 (2m) (a) of the statutes is created to read:

17 45.50 (2m) (a) The department shall provide complete personal maintenance
18 and medical care, including programs and facilities that promote comfort,
19 recreation, well-being, or rehabilitation, to all members of veterans homes.

20 **SECTION 1258.** 45.50 (2m) (b) of the statutes is created to read:

21 45.50 (2m) (b) The department may employ any personnel that are necessary
22 for the proper management and operation of veterans homes. In compliance with the
23 compensation plan established pursuant to s. 230.12 (3), a commandant may
24 recommend to the director of personnel charges for meals, living quarters, laundry,

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1 and other services furnished to employees and members of the employees' family
2 maintained at veterans homes.

3 **SECTION 1259.** 45.50 (2m) (c) of the statutes is created to read:

4 45.50 (2m) (c) For the Wisconsin Veterans Home at Chippewa Falls, in lieu of
5 the department employing personnel as authorized under par. (b) and providing the
6 maintenance and medical care as specified in par. (a), the department may enter into
7 an agreement with a private entity to operate the home and perform such
8 management and care using personnel employed by the private entity.

9 **SECTION 1260.** 45.50 (3) (title) of the statutes is created to read:

10 45.50 (3) (title) LAND ACQUISITION.

11 **SECTION 1261.** 45.50 (4) (title) of the statutes is created to read:

12 45.50 (4) (title) GIFTS AND GRANTS.

13 **SECTION 1262.** 45.50 (4) of the statutes is renumbered 45.50 (4) (a).

14 **SECTION 1263.** 45.50 (5) of the statutes is renumbered 45.50 (4) (b).

15 **SECTION 1264.** 45.50 (6) (title) of the statutes is created to read:

16 45.50 (6) (title) WATER AND SEWER SERVICES.

17 **SECTION 1265.** 45.50 (6) (b) of the statutes is amended to read:

18 45.50 (6) (b) Agreements under this ~~section~~ subsection shall be drafted to hold
19 harmless the department, to require all expense to be paid by the applicant, and to
20 be terminable by the department when other water and sewer services become
21 available to the applicant.

22 **SECTION 1266.** 45.50 (7) (title) of the statutes is created to read:

23 45.50 (7) (title) ENFORCEMENT AUTHORITY.

24 **SECTION 1267.** 45.50 (8) (title) of the statutes is created to read:

25 45.50 (8) (title) FIRE FIGHTING SERVICES.

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1 **SECTION 1268.** 45.50 (9) of the statutes is renumbered 45.50 (2m) (f) and
2 amended to read:

3 45.50 (2m) (f) The department may develop a program to provide stipends to
4 individuals to attend school and receive the necessary credentials to become
5 employed at veterans homes. If the department develops a stipend program under
6 this ~~subsection~~ paragraph, the department shall promulgate rules related to the
7 program, including the application process, eligibility criteria, stipend amount,
8 repayment provisions, and other provisions that the department determines are
9 necessary to administer the program.

10 **SECTION 1269.** 45.50 (10) of the statutes is amended to read:

11 45.50 (10) HOSPITALS AUTHORIZED. The department may establish a hospital at
12 ~~the a veterans homes home.~~ All hospitals established under this subsection may not
13 have a total approved bed capacity, as defined in s. 150.01 (4m), greater than 16 beds.
14 The approved bed capacity of a skilled nursing facility operated at a veterans home
15 is reduced by one bed for each approved bed at the hospital established under this
16 subsection at that home.

17 **SECTION 1270.** 45.60 (3) (b) of the statutes is amended to read:

18 45.60 (3) (b) A funeral director may issue a tuition voucher in the amount of
19 \$25 to an individual who sounds "Taps" on a bugle, trumpet, or cornet during each
20 funeral for which military honors are held in this state for a person described in sub.
21 (1) and who is a student in grades 6 to 12 or at an institution of higher education, as
22 defined under s. 895.515 (1) (b). The tuition voucher may be used at any time for the
23 payment of tuition and required program activity fees at a University of Wisconsin
24 System institution as provided under s. 36.27 (3r), the University of
25 Wisconsin-Madison under s. 37.27 (3r), or a technical college as provided under s.

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1 38.24 (6). The department shall encourage private institutions of higher education
2 to accept the vouchers. The vouchers are not transferable.

3 **SECTION 1271.** 46.03 (18) (ar) of the statutes is amended to read:

4 46.03 (18) (ar) ~~A- Subject to s. 46.995, a~~ county may retain fees that it collects
5 under this subsection for services the county provides without state funding under
6 the disabled children's long-term support program.

7 **SECTION 1272.** 46.042 of the statutes is amended to read:

8 **46.042 Treatment program for emotionally disturbed children.** The
9 department shall establish a program for the intensive treatment of emotionally
10 disturbed children. The program shall be operated by the Mendota Mental Health
11 Institute and be subject to all federal and state laws, rules, and regulations that
12 apply to the institute. Operational planning shall provide close interrelationship
13 between the department and the University of Wisconsin Medical School of Medicine
14 and Public Health for conduct of educational and research programs.

15 **SECTION 1273.** 46.057 (2) of the statutes is amended to read:

16 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
17 department of corrections shall transfer to the appropriation account under s. 20.435
18 (2) (kx) \$1,365,500 in each fiscal year and, from the appropriation account under s.
19 20.410 (3) (hm), the department of corrections shall transfer to the appropriation
20 account under s. 20.435 (2) (kx) ~~\$2,872,300~~ \$2,890,700 in fiscal year ~~2009-10~~
21 2011-12 and ~~\$2,896,100~~ \$2,964,000 in fiscal year ~~2010-11~~ 2012-13, for services for
22 juveniles placed at the Mendota juvenile treatment center. The department of health
23 services may charge the department of corrections not more than the actual cost of
24 providing those services.

25 **SECTION 1274.** 46.206 (1) (bm) of the statutes is amended to read:

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1 46.206 (1) (bm) All records of the department relating to aid provided under
2 s. 49.77, 2009 stats., or s. 49.46, 49.465, 49.468, 49.47, or 49.471, or 49.77 are open
3 to inspection at reasonable hours by members of the legislature who require the
4 information contained in the records in pursuit of a specific state legislative purpose.
5 All records of any county relating to aid provided under s. 49.77, 2009 stats., or s.
6 49.46, 49.465, 49.468, 49.47, or 49.471, or 49.77 are open to inspection at reasonable
7 hours by members of the board of supervisors of the county or the governing body of
8 a city, village or town located in the county who require the information contained
9 in the records in pursuit of a specific county or municipal legislative purpose. The
10 right to records access provided by this paragraph does not apply if access is
11 prohibited by federal law or regulation or if this state is required to prohibit such
12 access as a condition precedent to participation in a federal program in which this
13 state participates.

14 **SECTION 1275.** 46.21 (2) (b) of the statutes is amended to read:

15 46.21 (2) (b) May make such arrangements with the University of
16 ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health or the
17 Medical College of Wisconsin, or any other duly accredited medical colleges and
18 medical societies for teaching and research in such institutions as in its judgment
19 will best promote the purpose of hospitals and sanatoriums under sub. (4m).

20 **SECTION 1276.** 46.21 (2m) (am) of the statutes is created to read:

21 46.21 (2m) (am) *Multicounty department.* A county board of supervisors may
22 establish with one or more other counties a county department of human services on
23 a multicounty basis. A multicounty department of human services established
24 under this paragraph shall meet the requirements for a county department of human
25 services under this section.

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1 **SECTION 1277.** 46.215 (1) (intro.) of the statutes is amended to read:

2 46.215 (1) CREATION; POWERS AND DUTIES. (intro.) In a county with a population
3 of 500,000 or more the administration of welfare services, other than child welfare
4 services under s. 48.48 (17) administered by the department and except as provided
5 in ss. 49.155 (3g), 49.78 (1m), 49.825, and 49.826, is vested in a county department
6 of social services under the jurisdiction of the county board of supervisors under s.
7 46.21 (2m) (b) 1. a. Any reference in any law to a county department of social services
8 under this section applies to a county department under s. 46.21 (2m) in its
9 administration under s. 46.21 (2m) of the powers and duties of the county
10 department of social services. Except as provided in ss. 49.155 (3g), 49.78 (1m),
11 49.825, and 49.826, the county department of social services shall have the following
12 functions, duties, and powers, and such other welfare functions as may be delegated
13 to it:

14 **SECTION 1278.** 46.215 (1) (intro.) of the statutes, as affected by 2011 Wisconsin
15 Act (this act), is amended to read:

16 46.215 (1) CREATION; POWERS AND DUTIES. (intro.) In a county with a population
17 of 500,000 or more the administration of welfare services, other than child welfare
18 services under s. 48.48 (17) administered by the department and except as provided
19 in ss. 49.155 (3g), 49.78 (1m), ~~49.825~~, and 49.826, is vested in a county department
20 of social services under the jurisdiction of the county board of supervisors under s.
21 46.21 (2m) (b) 1. a. Any reference in any law to a county department of social services
22 under this section applies to a county department under s. 46.21 (2m) in its
23 administration under s. 46.21 (2m) of the powers and duties of the county
24 department of social services. Except as provided in ss. 49.155 (3g), 49.78 (1m),
25 ~~49.825~~, and 49.826, the county department of social services shall have the following

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1 functions, duties, and powers, and such other welfare functions as may be delegated
2 to it:

3 **SECTION 1279.** 46.215 (1) (k) of the statutes is amended to read:

4 46.215 (1) (k) Certify eligibility for and issue ~~food coupons~~ benefits to needy
5 households in conformity with the federal ~~food stamp act of 1964~~ supplemental
6 nutrition assistance program under 7 USC 2011 to 2036, as amended, and, in
7 addition, the county department of social services may certify eligibility for and
8 distribute surplus commodities and food stuffs.

9 **SECTION 1280.** 46.215 (1) (L) of the statutes is amended to read:

10 46.215 (1) (L) Within the limits of available state and federal funds and of
11 county funds appropriated to match state funds, to provide social services for persons
12 eligible for or receiving benefits under the supplementary security income program
13 under federal Title XVI, the supplemental payments program under s. ~~49.77~~ 49.39
14 or aid to families with dependent children under s. 49.19.

15 **SECTION 1281.** 46.215 (1) (t) of the statutes is created to read:

16 46.215 (1) (t) At the discretion of the county board of supervisors, to combine
17 with one or more other counties to establish a county department of social services
18 on a multicounty basis. A multicounty department of social services established
19 under this paragraph shall meet the requirements for a county department of human
20 services under this section.

21 **SECTION 1282.** 46.215 (2) (c) 3. of the statutes is amended to read:

22 46.215 (2) (c) 3. A county department of social services shall develop, under the
23 requirements of s. 301.08 (2), plans and contracts for juvenile delinquency-related
24 care and services to be purchased. The department of corrections may review the
25 contracts and approve them if they are consistent with s. 301.08 (2) and if state or

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1 federal funds are available for such purposes. The joint committee on finance may
2 require the department of corrections to submit the contracts to the committee for
3 review and approval. The department of corrections may not make any payments
4 to a county for programs included in a contract under review by the committee. The
5 department of corrections shall reimburse each county for the contracts from the
6 appropriations under s. 20.410 (3) (cd), ~~(ke)~~, and ~~(e)~~ and (ko) as appropriate.

7 **SECTION 1283.** 46.22 (1) (a) of the statutes is amended to read:

8 46.22 (1) (a) *Creation.* Except as provided under s. 46.23 (3) (b), the county
9 board of supervisors of any county with a population of less than 500,000, or the
10 county boards of 2 or more contiguous counties ~~each with a population of less than~~
11 ~~500,000~~, shall establish a county department of social services on a single-county or
12 multicounty basis. The county department of social services shall consist of a county
13 social services board, a county social services director and necessary personnel.

14 **SECTION 1284.** 46.22 (1) (b) 1. (intro.) of the statutes is amended to read:

15 46.22 (1) (b) 1. (intro.) ~~The~~ Except as provided in s. 49.78 (1m), the county
16 department of social services shall have the following functions, duties and powers
17 in accordance with the rules promulgated by the department of health services and
18 subject to the supervision of the department of health services:

19 **SECTION 1285.** 46.22 (1) (b) 1. c. of the statutes is renumbered 46.22 (1) (b) 2.

20 h. and amended to read:

21 46.22 (1) (b) 2. h. Within the limits of available state and federal funds and of
22 county funds appropriated to match state funds, to provide social services for persons
23 eligible for or receiving supplemental security aids under Title XVI of the social
24 security act, eligible for or receiving state supplemental payments under s. ~~49.77~~

BILL**SECTION 1285**

1 49.39 or eligible for or receiving aid to families with dependent children under s.
2 49.19.

3 **SECTION 1286.** 46.22 (1) (b) 2. d. of the statutes is repealed.

4 **SECTION 1287.** 46.22 (1) (d) of the statutes is amended to read:

5 46.22 (1) (d) *Merit system; records.* The county department of social services
6 is subject to s. ~~49.78 (4) to (7)~~ 49.19 (19g). The county department of social services
7 and all county officers and employees performing any duties in connection with the
8 administration of aid to families with dependent children shall observe all rules
9 promulgated by the department of children and families under s. ~~49.78 (4)~~ 49.19
10 (19g) (a) and shall keep records and furnish reports as the department of children
11 and families requires in relation to their performance of such duties.

12 **SECTION 1288.** 46.22 (1) (e) 3. c. of the statutes is amended to read:

13 46.22 (1) (e) 3. c. A county department of social services shall develop, under
14 the requirements of s. 301.08 (2), plans and contracts for juvenile
15 delinquency-related care and services to be purchased. The department of
16 corrections may review the contracts and approve them if they are consistent with
17 s. 301.08 (2) and to the extent that state or federal funds are available for such
18 purposes. The joint committee on finance may require the department of corrections
19 to submit the contracts to the committee for review and approval. The department
20 of corrections may not make any payments to a county for programs included in the
21 contract that is under review by the committee. The department of corrections shall
22 reimburse each county for the contracts from the appropriations under s. 20.410 (3)
23 (cd), ~~(ke)~~, and ~~(e)~~ and (ko) as appropriate.

24 **SECTION 1289.** 46.22 (2) (b) of the statutes is amended to read:

BILL**SECTION 1289**

1 46.22 (2) (b) Appoint the county social services director under sub. (3) subject
2 to s. ~~49.78 (4) to (7)~~ 49.19 (19g) and the rules promulgated thereunder and subject
3 to the approval of the county board of supervisors in a county with a single-county
4 department of social services or the county boards of supervisors in counties with a
5 multicounty department of social services.

6 **SECTION 1290.** 46.22 (3m) (a) of the statutes is amended to read:

7 46.22 (3m) (a) In any county with a county executive or a county administrator
8 that has established a single-county department of social services, the county
9 executive or county administrator, subject to s. ~~49.78 (4) to (7)~~ 49.19 (19g) and the
10 rules promulgated thereunder, shall appoint and supervise the county social services
11 director. The appointment is subject to the confirmation of the county board of
12 supervisors unless the county board of supervisors, by ordinance, elects to waive
13 confirmation or unless the appointment is made under a civil service system
14 competitive examination procedure established under s. 59.52 (8) or ch. 63.

15 **SECTION 1291.** 46.23 (3) (a) of the statutes is amended to read:

16 46.23 (3) (a) *Creation.* Upon approval by the secretary of health services, by
17 the secretary of corrections, and by the secretary of children and families of a
18 feasibility study and a program implementation plan, the county board of
19 supervisors of any county with a population of less than 500,000, or the county boards
20 of supervisors of 2 or more contiguous counties, ~~each of which has a population of less~~
21 ~~than 500,000,~~ may establish by resolution a county department of human services
22 on a single-county or multicounty basis to provide the services required under this
23 section. The county department of human services shall consist of the county human
24 services board, the county human services director and necessary personnel.

25 **SECTION 1292.** 46.27 (7) (am) of the statutes is amended to read:

BILL**SECTION 1292**

1 46.27 (7) (am) From the appropriation under s. 20.435 (7) (bd), the department
2 shall allocate funds to each county or private nonprofit agency with which the
3 department contracts to pay assessment and case plan costs under sub. (6) not
4 otherwise paid by fee or under s. 49.45 ~~or 49.78 (2)~~. The department shall reimburse
5 counties for the cost of assessing persons who are eligible for medical assistance
6 under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) ~~as part of the administrative services~~
7 ~~of medical assistance, payable, as provided~~ under s. 49.45 (3) (a). Counties may use
8 unspent funds allocated under this paragraph to pay the cost of long-term
9 community support services and for a risk reserve under par. (fr).

10 **SECTION 1293.** 46.27 (9) (a) of the statutes is amended to read:

11 46.27 (9) (a) The department may select up to 5 counties that volunteer to
12 participate in a pilot project under which they will receive certain funds allocated for
13 long-term care. The department shall allocate a level of funds to these counties
14 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), (gm), or (w)
15 to nursing homes for providing care because of increased utilization of nursing home
16 services, as estimated by the department. In estimating these levels, the department
17 shall exclude any increased utilization of services provided by state centers for the
18 developmentally disabled. The department shall calculate these amounts on a
19 calendar year basis under sub. (10).

20 **SECTION 1294.** 46.27 (10) (a) 1. of the statutes is amended to read:

21 46.27 (10) (a) 1. The department shall determine for each county participating
22 in the pilot project under sub. (9) a funding level of state medical assistance
23 expenditures to be received by the county. This level shall equal the amount that the
24 department determines would otherwise be paid under s. 20.435 (4) (b), (gm), or (w)

BILL

1 because of increased utilization of nursing home services, as estimated by the
2 department.

3 **SECTION 1295.** 46.275 (5) (a) of the statutes is amended to read:

4 46.275 (5) (a) Medical Assistance reimbursement for services a county, or the
5 department under sub. (3r), provides under this program is available from the
6 appropriation accounts under s. 20.435 (4) (b), (gm), (o), and (w). If 2 or more counties
7 jointly contract to provide services under this program and the department approves
8 the contract, Medical Assistance reimbursement is also available for services
9 provided jointly by these counties.

10 **SECTION 1296.** 46.275 (5) (c) of the statutes is amended to read:

11 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gm), (o), and (w) to
12 counties and to the department under sub. (3r) for services provided under this
13 section may not exceed the amount approved by the federal department of health and
14 human services. A county may use funds received under this section only to provide
15 services to persons who meet the requirements under sub. (4) and may not use
16 unexpended funds received under this section to serve other developmentally
17 disabled persons residing in the county.

18 **SECTION 1297.** 46.278 (6) (d) of the statutes is amended to read:

19 46.278 (6) (d) If a county makes available nonfederal funds equal to the state
20 share of service costs under a waiver received under sub. (3), the department may,
21 from the appropriation under s. 20.435 (4) (o), provide reimbursement for services
22 that the county provides under this section to persons who are in addition to those
23 who may be served under this section with funds from the appropriation accounts
24 under s. 20.435 (4) (b), (gm), or (w).

25 **SECTION 1298.** 46.2785 (5) (a) of the statutes is amended to read:

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1 46.2785 (5) (a) Medical assistance reimbursement for services a county or
2 private agency contracts for or provides under the waiver program shall be made
3 from the appropriation accounts under s. 20.435 (4) (b), (gm), and (o).

4 **SECTION 1299.** 46.281 (3) of the statutes is amended to read:

5 46.281 (3) DUTY OF THE SECRETARY. The secretary shall certify to each county,
6 hospital, nursing home, community-based residential facility, adult family home, as
7 ~~defined in s. 50.01 (1) (a) or (b)~~, and residential care apartment complex the date on
8 which a resource center that serves the area of the county, hospital, nursing home,
9 community-based residential facility, adult family home, or residential care
10 apartment complex is first available to perform functional screenings and financial
11 and cost-sharing screenings. To facilitate phase-in of services of resource centers,
12 the secretary may certify that the resource center is available for specified groups of
13 eligible individuals or for specified facilities in the county.

14 **SECTION 1300.** 46.283 (3) (k) of the statutes is amended to read:

15 46.283 (3) (k) A determination of eligibility for state supplemental payments
16 under s. ~~49.77~~ 49.39, medical assistance under s. 49.46, 49.468, 49.47, or 49.471, or
17 the federal food stamp program under 7 USC 2011 to 2029.

18 **SECTION 1301.** 46.283 (3) (k) of the statutes, as affected by 2011 Wisconsin Act
19 (this act), is amended to read:

20 46.283 (3) (k) A determination of eligibility for state supplemental payments
21 under s. 49.39, medical assistance under s. 49.46, 49.468, 49.47, or 49.471, or the
22 federal ~~food stamp~~ supplemental nutrition assistance program under 7 USC 2011 to
23 ~~2029~~ 2036.

24 **SECTION 1302.** 46.283 (4) (e) of the statutes is amended to read:

BILL**SECTION 1302**

1 46.283 (4) (e) Provide information about the services of the resource center,
2 including the services specified in sub. (3) (d), about assessments under s. 46.284 (4)
3 (b) and care plans under s. 46.284 (4) (c), and about the family care benefit and the
4 self-directed services option to all older persons and adults with a physical or
5 developmental disability who are residents of nursing homes, community-based
6 residential facilities, adult family homes, ~~as defined in s. 50.01 (1) (a) or (b)~~, and
7 residential care apartment complexes in the area of the resource center when the
8 benefit under s. 46.286 first becomes available in the county where the nursing home,
9 community-based residential facility, adult family home, or residential care
10 apartment complex is located.

11 **SECTION 1303.** 46.283 (4) (g) of the statutes is amended to read:

12 46.283 (4) (g) Perform a functional screening and a financial and cost-sharing
13 screening for any person seeking admission to a nursing home, community-based
14 residential facility, residential care apartment complex, or adult family home, as
15 ~~defined in s. 50.01 (1) (a) or (b)~~, if the secretary has certified that the resource center
16 is available to the person and the facility and the person is determined by the
17 resource center to have a condition that is expected to last at least 90 days that would
18 require care, assistance, or supervision. A resource center may not require a
19 financial and cost-sharing screening for a person seeking admission or about to be
20 admitted on a private pay basis who waives the requirement for a financial and
21 cost-sharing screening under this paragraph, unless the person is expected to
22 become eligible for medical assistance within 6 months. A resource center need not
23 perform a functional screening for a person seeking admission or about to be
24 admitted for whom a functional screening was performed within the previous 6
25 months.

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SECTION 1304. 46.283 (5) of the statutes is amended to read:

46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b), (bm), (gm), (pa), and (w) and (7) (b), (bd), and (md), the department may contract with organizations that meet standards under sub. (3) for performance of the duties under sub. (4) and shall distribute funds for services provided by resource centers.

SECTION 1305. 46.284 (5) (a) of the statutes is amended to read:

46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), (gm), (im), (o), and (w) and (7) (b), (bd), and (g), the department shall provide funding on a capitated payment basis for the provision of services under this section. Notwithstanding s. 46.036 (3) and (5m), a care management organization that is under contract with the department may expend the funds, consistent with this section, including providing payment, on a capitated basis, to providers of services under the family care benefit.

SECTION 1306. 46.29 (3) (e) of the statutes is amended to read:

46.29 (3) (e) The secretary of ~~commerce~~ safety and professional services.

SECTION 1307. 46.40 (9) (d) of the statutes is amended to read:

46.40 (9) (d) *Payment adjustments for certain Medical Assistance services.* The department may decrease a county's allocation under sub. (2) by the amount of any payment adjustments under s. 49.45 (52) (a) made for that county from the appropriation account under s. 20.435 (7) (b) for services described under s. 49.45 (52) (a) 1. The total amount of the decrease for a county under this paragraph during any fiscal year may not exceed that part of the county's allocation under sub. (2) that derives from the appropriation account under s. 20.435 (7) (b) for that fiscal year.

SECTION 1308. 46.40 (9) (e) of the statutes is created to read:

BILL**SECTION 1308**

1 46.40 (9) (e) *Adjustment for income maintenance programs.* In each fiscal year,
2 beginning in fiscal year 2012-13, the department shall decrease a county's allocation
3 under sub. (2) from the appropriation under s. 20.435 (7) (b) by the amount that the
4 department determines the county expended in calendar year 2009 to provide
5 income maintenance programs, as defined in s. 49.78 (1) (b).

6 **SECTION 1309.** 46.48 (1) of the statutes is amended to read:

7 46.48 (1) GENERAL. From the appropriation accounts under s. 20.435 (5) (bc)
8 and (7) (bc), the department shall award grants for community programs as provided
9 in ~~this section~~ subs. (4) to (30).

10 **SECTION 1310.** 46.48 (31) of the statutes is created to read:

11 46.48 (31) BRIGHTER FUTURES INITIATIVE. From the appropriation account under
12 s. 20.435 (5) (bc), the department shall transfer not more than \$865,000 in each fiscal
13 year to the appropriation account under s. 20.437 (1) (kb) to award grants under s.
14 48.545.

15 **SECTION 1311.** 46.90 (1) (gr) 3. of the statutes is amended to read:

16 46.90 (1) (gr) 3. The department of ~~regulation and licensing~~ safety and
17 professional services.

18 **SECTION 1312.** 46.90 (5m) (br) 5. of the statutes is amended to read:

19 46.90 (5m) (br) 5. Refer the case to the department of ~~regulation and licensing~~
20 safety and professional services if the financial exploitation, neglect, self-neglect, or
21 abuse involves an individual who is required to hold a credential, as defined in s.
22 440.01 (2) (a), under chs. 440 to 460.

23 **SECTION 1313.** 46.99 (3) of the statutes is amended to read:

24 46.99 (3) If the waiver requested under sub. (2) is granted, counties shall
25 provide to the department the nonfederal share of costs for medical assistance

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1 services provided under the waiver. Counties may use moneys appropriated under
2 s. 20.435 (7) (bt) and distributed to counties under s. 51.44 (3) (a) to provide the
3 nonfederal share of medical assistance costs.

4 **SECTION 1314.** 46.99 (3m) of the statutes is created to read:

5 46.99 (3m) If the waiver requested under sub. (2) is granted, counties shall
6 provide to the department the nonfederal share of the cost incurred by an entity to
7 administer the waiver program under this section.

8 **SECTION 1315.** 46.99 (4) of the statutes is amended to read:

9 46.99 (4) From the appropriation account under s. 20.435 (4) (o), the
10 department ~~shall~~ may distribute to counties that provide services under this section
11 the amount of federal moneys received by the state as the federal share of medical
12 assistance for those services, minus the amount transferred to the appropriation
13 account under s. 20.435 (7) (im) for the department's costs of administering this
14 section. Counties shall use moneys distributed under this section to provide services
15 under this section or s. 51.44.

16 **SECTION 1316.** 46.995 of the statutes is created to read:

17 **46.995 Disabled children's long-term support program; local funding.**

18 (1) A county shall provide to the department the nonfederal share of the cost
19 incurred by an entity to administer services provided without state funding under
20 the disabled children's long-term support program for a child enrolled in the
21 program after December 31, 2010.

22 (2) A county shall provide to the department the nonfederal share of the cost
23 of services provided without state funding under the disabled children's long-term
24 support program.

25 **SECTION 1317.** 47.03 (11) (a) of the statutes is amended to read:

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1 47.03 (11) (a) The department shall provide services, including vocational
2 training, ~~craft instruction~~ and a supervised business initiatives program for persons
3 with severe disabilities who are eligible for vocational rehabilitation services. Under
4 this subsection, the department may own, lease, manage, supervise or operate
5 businesses for the benefit of persons with severe disabilities, ~~including home-based~~
6 ~~employment and craft work~~, with the ultimate objective of enabling persons with
7 severe disabilities to operate their own businesses. ~~The department shall assist~~
8 ~~persons with severe disabilities who receive these services in marketing the finished~~
9 ~~products.~~

10 **SECTION 1318.** 47.03 (11) (c) of the statutes is repealed.

11 **SECTION 1319.** 47.03 (11) (d) of the statutes is repealed.

12 **SECTION 1320.** 47.03 (11) (e) of the statutes is repealed.

13 **SECTION 1321.** 48.345 (12) (a) 1. of the statutes is amended to read:

14 48.345 (12) (a) 1. A nonresidential educational program, ~~including a program~~
15 ~~for children at risk under s. 118.153~~, provided by the school district in which the child
16 resides.

17 **SECTION 1322.** 48.487 (4m) (a) 2. of the statutes is amended to read:

18 48.487 (4m) (a) 2. "Dropout" has the meaning given under s. ~~118.153 (1) (b)~~
19 115.001 (2m).

20 **SECTION 1323.** 48.545 (2) (a) (intro.) of the statutes is amended to read:

21 48.545 (2) (a) (intro.) From the appropriations under s. 20.437 (1) (eg), (kb), and
22 (nL), the department shall distribute \$2,097,700 in each fiscal year to applying
23 nonprofit corporations and public agencies operating in a county having a population
24 of 500,000 or more, \$1,171,800 in each fiscal year to applying county departments
25 under s. 46.22, 46.23, 51.42, or 51.437 operating in counties other than a county

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1 having a population of 500,000 or more, and \$55,000 in each fiscal year to Diverse
2 and Resilient, Inc. to provide programs to accomplish all of the following:

3 **SECTION 1324.** 48.563 (1) (a) of the statutes is amended to read:

4 48.563 (1) (a) Within the limits of available federal funds and of the
5 appropriations under s. 20.437 (1) (b), (km), and (o), the department shall distribute
6 funds for children and family services to county departments as provided in subs. (2),
7 (3), and (7m) and s. 48.986.

8 **SECTION 1325.** 48.565 (2) (c) of the statutes is amended to read:

9 48.565 (2) (c) The department shall credit to the appropriation account under
10 s. 20.437 (3) ~~(mp)~~ (kp) any moneys carried forward under par. (a), but not distributed
11 to counties, and may expend those moneys as provided in s. 48.567.

12 **SECTION 1326.** 48.567 (1) of the statutes is amended to read:

13 48.567 (1) From the appropriation account under s. 20.437 (3) ~~(mp)~~ (kp), the
14 department shall support costs that are exclusively related to the ongoing and
15 recurring operational costs of augmenting the amount of moneys received under 42
16 USC 670 to 679a and to any other purpose provided for by the legislature by law or
17 in budget determinations. In addition, the department may expend moneys from the
18 those appropriation account under s. 20.437 (3) ~~(mp)~~ accounts as provided in subs.
19 (1m) and (2).

20 **SECTION 1327.** 48.567 (1m) of the statutes is amended to read:

21 48.567 (1m) In addition to expending moneys from the appropriation account
22 under s. 20.437 (3) ~~(mp)~~ (kp) for the augmentation activities specified in sub. (1), the
23 department may expend moneys ~~received under 42 USC 1396 to 1396v in~~
24 ~~reimbursement of the cost of providing targeted case management services to~~
25 ~~children whose care is not eligible for reimbursement under 42 USC 670 to 679a and~~

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1 ~~credited to the from that~~ appropriation account under s. 20.437 (3) ~~(mp)~~ to support
2 the counties' share of implementing the statewide automated child welfare
3 information system under s. 46.22 (1) (c) 8. f. and to provide services to children and
4 families under s. 48.48 (17).

5 **SECTION 1328.** 48.567 (2) of the statutes is amended to read:

6 48.567 (2) If the department proposes to use any moneys from the
7 appropriation account under s. 20.437 (3) ~~(mp)~~ (kp) for any purpose other than the
8 purposes specified in subs. (1) and (1m), the department shall submit a plan for the
9 proposed use of those moneys to the secretary of administration by September 1 of
10 the fiscal year after the fiscal year in which those moneys were received. If the
11 secretary of administration approves the plan, he or she shall submit the plan to the
12 joint committee on finance by October 1 of the fiscal year after the fiscal year in which
13 those moneys were received. If the cochairpersons of the committee do not notify the
14 secretary of administration within 14 working days after the date of submittal of the
15 plan that the committee has scheduled a meeting for the purpose of reviewing the
16 plan, the department may implement the plan. If within 14 working days after the
17 date of the submittal by the secretary of administration the cochairpersons of the
18 committee notify him or her that the committee has scheduled a meeting for the
19 purpose of reviewing the plan, the department may implement the plan only with the
20 approval of the committee.

21 **SECTION 1329.** 48.569 (1) (am) of the statutes is amended to read:

22 48.569 (1) (am) The department shall reimburse each county from the
23 appropriations under s. 20.437 (1) (b), (km), and (o) for children and family services
24 as approved by the department under ss. 46.22 (1) (b) 2. f. and (e) 3. b.

25 **SECTION 1330.** 48.569 (1) (d) of the statutes is amended to read:

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1 48.569 (1) (d) From the appropriations under s. 20.437 (1) (b), (km), and (o), the
2 department shall distribute the funding for children and family services, including
3 funding for foster care or subsidized guardianship care of a child on whose behalf aid
4 is received under s. 48.645 to county departments as provided under s. 48.563.
5 County matching funds are required for the distribution under s. 48.563 (2). Each
6 county's required match for the distribution under s. 48.563 (2) shall be specified in
7 a schedule established annually by the department. Matching funds may be from
8 county tax levies, federal and state revenue sharing funds, or private donations to
9 the county that meet the requirements specified in sub. (1m). Private donations may
10 not exceed 25 percent of the total county match. If the county match is less than the
11 amount required to generate the full amount of state and federal funds distributed
12 for this period, the decrease in the amount of state and federal funds equals the
13 difference between the required and the actual amount of county matching funds.

14 **SECTION 1331.** 48.57 (3m) (am) 6. of the statutes is amended to read:

15 48.57 (3m) (am) 6. The child for whom the kinship care relative is providing
16 care and maintenance is not receiving supplemental security income under 42 USC
17 1381 to 1383c or state supplemental payments under s. ~~49.77~~ 49.39.

18 **SECTION 1332.** 48.57 (3n) (am) 5r. of the statutes is amended to read:

19 48.57 (3n) (am) 5r. The child for whom the long-term kinship care relative is
20 providing care and maintenance is not receiving supplemental security income
21 under 42 USC 1381 to 1383c or state supplemental payments under s. ~~49.77~~ 49.39.

22 **SECTION 1333.** 48.67 (intro.) of the statutes is amended to read:

23 **48.67 Rules governing child welfare agencies, child care centers,**
24 **foster homes, group homes, shelter care facilities, and county departments.**

25 (intro.) The department shall promulgate rules establishing minimum

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1 requirements for the issuance of licenses to, and establishing standards for the
2 operation of, child welfare agencies, child care centers, foster homes, group homes,
3 shelter care facilities, and county departments. Those rules shall be designed to
4 protect and promote the health, safety, and welfare of the children in the care of all
5 licensees. The department shall consult with the department of ~~commerce~~ safety
6 and professional services, the department of public instruction, and the child abuse
7 and neglect prevention board before promulgating those rules. For foster homes,
8 those rules shall include the rules promulgated under s. 48.62 (8). Those rules shall
9 include rules that require all of the following:

10 **SECTION 1334.** 48.685 (2) (am) 3. of the statutes is amended to read:

11 48.685 (2) (am) 3. Information maintained by the department of ~~regulation and~~
12 ~~licensing~~ safety and professional services regarding the status of the person's
13 credentials, if applicable.

14 **SECTION 1335.** 48.685 (2) (b) 1. c. of the statutes is amended to read:

15 48.685 (2) (b) 1. c. Information maintained by the department of ~~regulation and~~
16 ~~licensing~~ safety and professional services regarding the status of the person's
17 credentials, if applicable.

18 **SECTION 1336.** 48.685 (4m) (a) 5. of the statutes is amended to read:

19 48.685 (4m) (a) 5. That, in the case of a position for which the person must be
20 credentialed by the department of ~~regulation and licensing~~ safety and professional
21 services, the person's credential is not current or is limited so as to restrict the person
22 from providing adequate care to a client.

23 **SECTION 1337.** 48.685 (4m) (b) 5. of the statutes is amended to read:

24 48.685 (4m) (b) 5. That, in the case of a position for which the person must be
25 credentialed by the department of ~~regulation and licensing~~ safety and professional

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1 services, the person's credential is not current or is limited so as to restrict the person
2 from providing adequate care to a client.

3 **SECTION 1338.** 48.685 (5) (br) 5. of the statutes is amended to read:

4 48.685 (5) (br) 5. An offense involving fraudulent activity as a participant in
5 the Wisconsin Works program under ss. 49.141 to 49.161, including as a recipient of
6 a child care subsidy under s. 49.155, or as a recipient of aid to families with dependent
7 children under s. 49.19, medical assistance under subch. IV of ch. 49, food stamps
8 benefits under the food stamp program under 7 USC 2011 to 2036, supplemental
9 security income payments under s. 49.77, 2009 stats., or s. 49.39, payments for the
10 support of children of supplemental security income recipients under s. 49.775, 2009
11 stats., or s. 49.395, or health care benefits under the Badger Care health care
12 program under s. 49.665.

13 **SECTION 1339.** 48.685 (5) (br) 5. of the statutes, as affected by 2011 Wisconsin
14 Act (this act), is amended to read:

15 48.685 (5) (br) 5. An offense involving fraudulent activity as a participant in
16 the Wisconsin Works program under ss. 49.141 to 49.161, including as a recipient of
17 a child care subsidy under s. 49.155, or as a recipient of aid to families with dependent
18 children under s. 49.19, medical assistance under subch. IV of ch. 49, ~~food stamps~~
19 benefits under the ~~food stamp~~ supplemental nutrition assistance program under 7
20 USC 2011 to 2036, supplemental security income payments under s. 49.77, 2009
21 stats., or s. 49.39, payments for the support of children of supplemental security
22 income recipients under s. 49.775, 2009 stats., or s. 49.395, or health care benefits
23 under the Badger Care health care program under s. 49.665.

24 **SECTION 1340.** 48.78 (2) (g) of the statutes is amended to read:

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1 48.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing
2 information about an individual in its care or legal custody on the written request
3 of the department of ~~regulation and licensing~~ safety and professional services or of
4 any interested examining board or affiliated credentialing board in that department
5 for use in any investigation or proceeding relating to any alleged misconduct by any
6 person who is credentialed or who is seeking credentialing under ch. 448, 455 or 457.
7 Unless authorized by an order of the court, the department of ~~regulation and~~
8 ~~licensing~~ safety and professional services and any examining board or affiliated
9 credentialing board in that department shall keep confidential any information
10 obtained under this paragraph and may not disclose the name of or any other
11 identifying information about the individual who is the subject of the information
12 disclosed, except to the extent that redisclosure of that information is necessary for
13 the conduct of the investigation or proceeding for which that information was
14 obtained.

15 **SECTION 1341.** 48.84 (1) of the statutes is amended to read:

16 48.84 (1) Before a child may be placed under s. 48.833 for adoption by a
17 proposed adoptive parent who has not previously adopted a child, before a proposed
18 adoptive parent who has not previously adopted a child may petition for placement
19 of a child for adoption under s. 48.837, and before a proposed adoptive parent who
20 has not previously adopted a child may bring a child into this state for adoption under
21 s. 48.839, the proposed adoptive parent shall complete the preadoption preparation
22 required under this section. The preparation shall be provided by a licensed child
23 welfare agency, a licensed private adoption agency, the state adoption information
24 exchange under s. 48.55, the state adoption center under s. 48.55, a state-funded
25 foster care and adoption resource center, a state-funded postadoption resource

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1 center, a technical college district school, the University of Wisconsin-Madison, or
2 an institution or college campus within the University of Wisconsin System. If the
3 proposed adoptive parent does not reside in this state, he or she may meet this
4 requirement by obtaining equivalent preparation in his or her state of residence.

5 **SECTION 1342.** 48.981 (3m) (b) (intro.) of the statutes is amended to read:

6 48.981 (3m) (b) (intro.) The department shall establish a pilot program under
7 which an agency in a county having a population of 500,000 or more or a county
8 department that is selected to participate in the pilot program may employ
9 alternative responses to a report of abuse or neglect or of threatened abuse or neglect.
10 The department shall select ~~an agency in a county having a population of 500,000~~
11 ~~or more and not more than 4~~ agencies and county departments to participate in the
12 pilot program in accordance with the department's request-for-proposal procedures
13 and according to criteria developed by the department. Those criteria shall include
14 an assessment of the plan of an agency or county department for involving the
15 community in providing services for a family that is participating in the pilot
16 program and a determination of whether an agency or a county department has an
17 agreement with local law enforcement agencies and the representative of the public
18 under s. 48.09 to ensure interagency cooperation in implementing the pilot program.
19 To implement the pilot program, the department shall provide all of the following:

20 **SECTION 1343.** 49.131 (3) of the statutes is amended to read:

21 49.131 (3) The Except as provided in s. 49.377 (2), the department may not
22 require a county or tribal governing body to participate in an electronic benefit
23 transfer system under this section if the costs to the county or tribal governing body
24 would be greater than the costs that the county or tribal governing body would incur

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1 in delivering the benefits through a system that is not an electronic benefit transfer
2 system.

3 **SECTION 1344.** 49.141 (7) (c) 3. of the statutes is amended to read:

4 49.141 (7) (c) 3. Fraudulently misstating or misrepresenting his or her identity
5 or place of residence for the purpose of receiving simultaneously in this state and at
6 least one other state benefits under the federal ~~food stamp~~ supplemental nutrition
7 assistance program under 7 USC 2011 to ~~2029~~ 2036.

8 **SECTION 1345.** 49.143 (2) (d) of the statutes is amended to read:

9 49.143 (2) (d) If the Wisconsin ~~works~~ Works agency is not a county department
10 under s. 46.215, 46.22 or 46.23 or tribal governing body, cooperate with the county
11 department or tribal governing body to ensure that services delivered under
12 Wisconsin ~~works~~ Works, the ~~food stamp~~ supplemental nutrition assistance program
13 and medical assistance are coordinated with the county or tribal governing body in
14 a manner that most effectively serves the recipients of those services.

15 **SECTION 1346.** 49.143 (2r) of the statutes is amended to read:

16 49.143 (2r) JOB PROGRAMS. A Wisconsin Works agency shall collaborate with
17 the local workforce development board to connect individuals seeking employment
18 with employment opportunities, including the trial job program under s. 49.147 (3)
19 and, ~~if operating in the geographical area in which the Wisconsin Works agency~~
20 ~~administers Wisconsin Works, the transitional jobs demonstration project under s.~~
21 ~~49.162.~~

22 **SECTION 1347.** 49.145 (2) (i) of the statutes is amended to read:

23 49.145 (2) (i) The individual is not receiving supplemental security income
24 under 42 USC 1381 to 1383c or state supplemental payments under s. ~~49.77~~ 49.39
25 and, if the individual is a dependent child, the custodial parent of the individual does

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1 not receive a payment on behalf of the individual under s. ~~49.775~~ 49.395. The
2 department may require an individual who receives benefits under s. 49.148 and who
3 has applied for supplemental security income under 42 USC 1381 to 1383c to
4 authorize the federal social security administration to reimburse the department for
5 the benefits paid to the individual under s. 49.148 during the period that the
6 individual was entitled to supplemental security income benefits to the extent that
7 retroactive supplemental security income benefits are made available to the
8 individual.

9 **SECTION 1348.** 49.147 (3) (c) of the statutes is created to read:

10 49.147 (3) (c) *Time-limited participation.* A participant under this subsection
11 may participate in a trial job for a maximum of 3 months, with an opportunity for a
12 3-month extension under circumstances determined by the Wisconsin Works
13 agency. A participant may participate in more than one trial job, but may not exceed
14 a total of 24 months of participation under this subsection. The months need not be
15 consecutive. The department or, with the approval of the department, the Wisconsin
16 Works agency may grant an extension of the 24-month limit on a case-by-case basis
17 if the participant has made all appropriate efforts to find unsubsidized employment
18 and has been unable to find unsubsidized employment because local labor market
19 conditions preclude a reasonable job opportunity for that participant, as determined
20 by a Wisconsin Works agency and approved by the department.

21 **SECTION 1349.** 49.147 (4) (as) of the statutes is amended to read:

22 49.147 (4) (as) *Required hours.* Except as provided in pars. (at) and (av) and
23 sub. (5m), a Wisconsin Works agency shall require a participant placed in a
24 community service job program to work in a community service job for the number
25 of hours determined by the Wisconsin Works agency to be appropriate for the

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1 participant at the time of application or review, ~~except that the~~ but not to exceed 30
2 hours per week. Except as provided in pars. (at) and (av), a Wisconsin Works agency
3 ~~may not require a participant under this subsection to spend more than 40 hours per~~
4 ~~week in combined activities under this subsection~~ participate in education or
5 training activities for not more than 10 hours per week.

6 **SECTION 1350.** 49.147 (4) (b) of the statutes is created to read:

7 49.147 (4) (b) *Time-limited participation.* An individual may participate in a
8 community service job for a maximum of 6 months, with an opportunity for a
9 3-month extension under circumstances approved by the department. An individual
10 may participate in more than one community service job, but may not exceed a total
11 of 24 months of participation under this subsection. The months need not be
12 consecutive. The department or, with the approval of the department, the Wisconsin
13 Works agency may grant an extension to the 24-month limit on a case-by-case basis
14 if the Wisconsin Works agency determines that the individual has made all
15 appropriate efforts to find unsubsidized employment and has been unable to find
16 unsubsidized employment because local labor market conditions preclude a
17 reasonable employment opportunity in unsubsidized employment for that
18 participant, as determined by a Wisconsin Works agency and approved by the
19 department, and if the Wisconsin Works agency determines, and the department
20 agrees, that no trial job opportunities are available in the specified local labor
21 market.

22 **SECTION 1351.** 49.147 (5) (b) (intro.) of the statutes is renumbered 49.147 (5)

23 (b) 1. (intro.) and amended to read:

24 49.147 (5) (b) 1. (intro.) The Wisconsin ~~works~~ Works agency shall assign a
25 participant under this subsection to work activities such as a community

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1 rehabilitation program, as defined by the department, a job similar to a community
2 service job, or a volunteer activity. A Wisconsin ~~works~~ Works agency may require a
3 participant under this subsection to participate in any of the following:

4 **SECTION 1352.** 49.147 (5) (b) 1m. of the statutes is renumbered 49.147 (5) (b)

5 1. a. and amended to read:

6 49.147 (5) (b) 1. a. An alcohol and other drug abuse evaluation, assessment, and
7 treatment program.

8 **SECTION 1353.** 49.147 (5) (b) 2. of the statutes is created to read:

9 49.147 (5) (b) 2. An individual may participate in a transitional placement for
10 a maximum of 24 months. The months need not be consecutive. This period may be
11 extended on a case-by-case basis by the department or by the Wisconsin Works
12 agency with the approval of the department.

13 **SECTION 1354.** 49.147 (5) (b) 2m. of the statutes is renumbered 49.147 (5) (b)

14 1. b.

15 **SECTION 1355.** 49.147 (5) (b) 3. of the statutes is renumbered 49.147 (5) (b) 1.

16 c.

17 **SECTION 1356.** 49.147 (5) (b) 4. of the statutes is renumbered 49.147 (5) (b) 1.

18 d. and amended to read:

19 49.147 (5) (b) 1. d. Other activities that the Wisconsin ~~works~~ Works agency
20 determines are consistent with the capabilities of the individual.

21 **SECTION 1357.** 49.147 (5) (bs) of the statutes is amended to read:

22 49.147 (5) (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m),
23 a Wisconsin Works agency may require a participant placed in a transitional
24 placement to engage in activities under par. (b) ~~1m. to 4.~~ The 1. for up to 28 hours
25 per week. Except as provided in sub. (5m), a Wisconsin Works agency may not

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1 require a participant under this subsection to ~~spend more than 40 hours per week~~
2 ~~in combined activities under this subsection~~ participate in education or training
3 activities under par. (bm) for not more than 12 hours per week.

4 **SECTION 1358.** 49.148 (1) (b) 1. of the statutes is amended to read:

5 49.148 (1) (b) 1. Except as provided in subd. 1m., for a participant in a
6 community service job under s. 49.147 (4), a monthly grant of ~~\$673~~ \$653, paid by the
7 Wisconsin ~~works~~ Works agency. For every hour that the participant misses work or
8 education or training activities without good cause, the grant amount shall be
9 reduced by \$5.15. Good cause shall be determined by the financial and employment
10 planner in accordance with rules promulgated by the department. Good cause shall
11 include required court appearances for a victim of domestic abuse. If a participant
12 in a community service job under s. 49.147 (4) is required to work fewer than 30 hours
13 per week because the participant has unsubsidized employment, as defined in s.
14 49.147 (1) (c), the grant amount under this paragraph shall equal the amount
15 specified under subd. 1m. minus \$5.15 for each hour that the participant misses work
16 or education or training activities without good cause.

17 **SECTION 1359.** 49.148 (1) (b) 1m. d. of the statutes is amended to read:

18 49.148 (1) (b) 1m. d. For a participant placed in a community service job for
19 more than 20 hours per week, ~~\$673~~ \$653.

20 **SECTION 1360.** 49.148 (1) (b) 3. of the statutes is amended to read:

21 49.148 (1) (b) 3. For a participant in a community service job who participates
22 in technical college education under s. 49.147 (5m), a monthly grant of ~~\$673~~ \$653,
23 paid by the Wisconsin ~~works~~ Works agency. For every hour that the participant
24 misses work or other required activities without good cause, the grant amount shall
25 be reduced by \$5.15. Good cause shall be determined by the financial and

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1 employment planner in accordance with rules promulgated by the department. Good
2 cause shall include required court appearances for a victim of domestic abuse.

3 **SECTION 1361.** 49.148 (1) (c) of the statutes is amended to read:

4 49.148 (1) (c) *Transitional placements.* For a participant in a transitional
5 placement under s. 49.147 (5) or in a transitional placement and in technical college
6 education under s. 49.147 (5m), a grant of ~~\$628~~ \$608, paid monthly by the Wisconsin
7 Works agency. For every hour that the participant fails to participate in any required
8 activity without good cause, including any activity under s. 49.147 (5) (b) ~~1m. to 4.~~
9 1. a. to d., the grant amount shall be reduced by \$5.15. Good cause shall be
10 determined by the financial and employment planner in accordance with rules
11 promulgated by the department. Good cause shall include required court
12 appearances for a victim of domestic abuse.

13 **SECTION 1362.** 49.148 (1m) (c) (intro.) of the statutes is amended to read:

14 49.148 (1m) (c) (intro.) For purposes of the time ~~limit~~ limits under s. ~~ss.~~ 49.145
15 (2) (n) and 49.147 (3) (c), (4) (b), and (5) (b) 2., all of the following apply:

16 **SECTION 1363.** 49.148 (4) (b) of the statutes is amended to read:

17 49.148 (4) (b) The Wisconsin Works agency may require an individual who tests
18 positive for use of a controlled substance under par. (a) to participate in a drug abuse
19 evaluation, assessment, and treatment program as part of the participation
20 requirement under s. 49.147 (4) ~~(a) and (am) (as)~~ or (5) ~~(b) and (bm) (bs)~~.

21 **SECTION 1364.** 49.151 (1) (b) of the statutes is amended to read:

22 49.151 (1) (b) The participant, or an individual who is in the participant's
23 Wisconsin Works group and who is subject to the work requirement under s. 49.15
24 (2), fails, without good cause, as determined by the Wisconsin Works agency, to
25 appear for an interview with a prospective employer or, if the participant is in a

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1 Wisconsin Works transitional placement, the participant fails to appear for an
2 assigned activity, including an activity under s. 49.147 (5) (b) ~~1m. to 4. 1. a. to d.~~,
3 without good cause, as determined by the Wisconsin Works agency.

4 **SECTION 1365.** 49.1515 (title) of the statutes is amended to read:

5 **49.1515 (title) Determining nonparticipation without good cause.**

6 **SECTION 1366.** 49.1515 (2) of the statutes is repealed.

7 **SECTION 1367.** 49.1515 (3) of the statutes is repealed.

8 **SECTION 1368.** 49.153 (1) (am) of the statutes is repealed.

9 **SECTION 1369.** 49.153 (1) (bm) of the statutes is renumbered 49.153 (1) (a) and
10 amended to read:

11 49.153 (1) (a) ~~After providing the explanation under par. (am), provide~~ Provide
12 to the participant written notice of the proposed action and of the reasons for the
13 proposed action.

14 **SECTION 1370.** 49.153 (1) (c) of the statutes is amended to read:

15 49.153 (1) (c) After providing the ~~explanation or the attempts to provide an~~
16 ~~explanation under par. (am) and the notice under par. (bm), if the participant has not~~
17 ~~already been afforded a conciliation period under s. 49.1515 (3) (a),~~ allow the
18 participant a reasonable time to rectify the deficiency, failure, or other behavior to
19 avoid the proposed action.

20 **SECTION 1371.** 49.153 (2) of the statutes is amended to read:

21 49.153 (2) RULES. The department shall promulgate rules that establish
22 procedures for the notice ~~and explanation~~ under sub. (1) (a) and that define
23 “reasonable attempts” for the purpose of sub. (1) (am) and “reasonable time” for the
24 purpose of sub. (1) (c).

25 **SECTION 1372.** 49.155 (1) (ah) of the statutes is amended to read:

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1 49.155 (1) (ah) "County department or agency" means a county department
2 under s. 46.215, 46.22, or 46.23, ~~the unit, as defined in s. 49.825 (1) (e),~~ or a Wisconsin
3 Works agency, child care resource and referral agency, or other agency.

4 **SECTION 1373.** 49.155 (1g) (ac) of the statutes is amended to read:

5 49.155 (1g) (ac) A child care scholarship and bonus program, in the amount of
6 at least ~~\$3,475,000~~ \$3,975,000 per fiscal year.

7 **SECTION 1374.** 49.155 (1g) (c) of the statutes is amended to read:

8 49.155 (1g) (c) Child care licensing activities, in the amount of at least
9 ~~\$5,763,900~~ \$8,767,000 per fiscal year.

10 **SECTION 1375.** 49.155 (1g) (g) of the statutes is created to read:

11 49.155 (1g) (g) Contracts and grants to implement the child care quality rating
12 system under s. 48.659.

13 **SECTION 1376.** 49.155 (1h) of the statutes is repealed.

14 **SECTION 1377.** 49.155 (1m) (a) 3m. of the statutes is amended to read:

15 49.155 (1m) (a) 3m. Participate in a job search or work experience component
16 of the ~~food stamp~~ supplemental nutrition assistance employment and training
17 program under s. ~~49.79 (9)~~ 49.37 (9).

18 **SECTION 1378.** 49.155 (3g) (a) (intro.) of the statutes is amended to read:

19 49.155 (3g) (a) (intro.) The department may contract with the Milwaukee
20 ~~County enrollment services unit, as provided in s. 49.825 (2) (b)~~ department of health
21 services, to do any of the following:

22 **SECTION 1379.** 49.155 (6) (e) of the statutes is renumbered 49.155 (6) (e) 2. and
23 amended to read:

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1 49.155 (6) (e) 2. The Except as provided in subd. 3., the department may not
2 increase the maximum reimbursement rates for child care providers ~~in 2009, in~~
3 2010, ~~or before June 30 in 2011, 2013.~~

4 **SECTION 1380.** 49.155 (6) (e) 1. of the statutes is created to read:

5 49.155 (6) (e) 1. In this paragraph, “quality rating plan” means the plan for
6 implementing the child care quality rating system under s. 48.659 submitted by the
7 department under 2009 Wisconsin Act 28, section 9108 (7f).

8 **SECTION 1381.** 49.155 (6) (e) 3. of the statutes is created to read:

9 49.155 (6) (e) 3. The department may modify a child care provider’s
10 reimbursement rate under subd. 2. on the basis of the provider’s quality rating, as
11 described in the quality rating plan, in the following manner:

12 a. For a child care provider who receives a 1-star rating, the department may
13 deny reimbursement.

14 b. For a child care provider who receives a 2-star rating, the department may
15 reduce the maximum reimbursement rate by up to 5 percent.

16 c. For a child care provider who receives a 3-star rating, the department shall
17 pay the maximum reimbursement rate.

18 d. For a child care provider who receives a 4-star rating, the department may
19 increase the maximum reimbursement rate by up to 5 percent.

20 e. For a child care provider who receives a 5-star rating, the department may
21 increase the maximum reimbursement rate by up to 10 percent.

22 **SECTION 1382.** 49.155 (6) (e) 4. of the statutes is created to read:

23 49.155 (6) (e) 4. The department may use a severity-index tool, as described
24 in the quality rating plan, to disqualify child care providers who receive a low quality

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1 rating, as described in the quality rating plan, from providing child care services to
2 individuals under this section.

3 **SECTION 1383.** 49.155 (6d) of the statutes is created to read:

4 49.155 (6d) COST-SAVING MEASURES. To reduce costs under the program under
5 this section, the department may do any of the following:

6 (a) Notwithstanding sub. (1m), implement a waiting list for receipt of a child
7 care subsidy under this section.

8 (b) Notwithstanding sub. (5), increase the copayment amount that an
9 individual must pay toward the cost of child care received under this section.

10 (c) Notwithstanding sub. (6), adjust the amount of reimbursement paid to child
11 care providers providing child care services under this section.

12 (d) Notwithstanding sub. (1m), adjust the gross income levels for eligibility for
13 receipt of a child care subsidy under this section.

14 **SECTION 1384.** 49.159 (2) of the statutes is amended to read:

15 49.159 (2) MINOR CUSTODIAL PARENTS; FINANCIAL AND EMPLOYMENT COUNSELING.
16 A custodial parent who is under the age of 18 is eligible, regardless of that
17 individual's or that individual's parent's income or assets, to meet with a financial
18 and employment planner. The financial and employment planner may provide the
19 individual with information regarding Wisconsin ~~works~~ Works eligibility, available
20 child care services, employment and financial planning, family planning services, as
21 defined in s. 253.07 (1) (b), community resources, eligibility for ~~food stamps~~ the
22 supplemental nutrition assistance program, and other food and nutrition programs.

23 **SECTION 1385.** 49.162 of the statutes, as affected by 2009 Wisconsin Act 333,
24 is repealed.

25 **SECTION 1386.** 49.165 (2) (c) (intro.) of the statutes is amended to read:

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1 49.165 (2) (c) (intro.) No grant may be made to an organization which provides
2 or will provide shelter facilities unless the department of ~~commerce~~ safety and
3 professional services determines that the physical plant of the facility will not be
4 dangerous to the health or safety of the residents when the facility is in operation.
5 No grant may be given to an organization which provides or will provide shelter
6 facilities or private home shelter care unless the organization ensures that the
7 following services will be provided either by that organization or by another
8 organization, person or agency:

9 **SECTION 1387.** 49.173 (3) (a) 2. of the statutes is amended to read:

10 49.173 (3) (a) 2. ~~Food stamp~~ Supplemental nutrition assistance employment
11 and training.

12 **SECTION 1388.** 49.175 (1) (intro.) of the statutes, as affected by 2009 Wisconsin
13 Act 28, section 1227, is amended to read:

14 49.175 (1) ALLOCATION OF FUNDS. (intro.) Except as provided in sub. (2), within
15 the limits of the appropriations under s. 20.437 (2) (a), (cm), (dz), (ed), (k), (kx), (L),
16 (mc), (md), (me), ~~(mf)~~, and (s), the department shall allocate the following amounts
17 for the following purposes:

18 **SECTION 1389.** 49.175 (1) (a) of the statutes is amended to read:

19 49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,
20 \$49,139,400 \$78,787,800 in fiscal year ~~2009-10~~ 2011-12 and \$51,229,600
21 \$61,779,400 in fiscal year ~~2010-11~~ 2012-13.

22 **SECTION 1390.** 49.175 (1) (b) of the statutes is amended to read:

23 49.175 (1) (b) *Wisconsin Works administration.* For administration of
24 Wisconsin Works performed under contracts under s. 49.143, \$8,247,000

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1 ~~\$11,830,800~~ in fiscal year ~~2009-10~~ 2011-12 and ~~\$8,247,000~~ \$11,117,100 in fiscal year
2 ~~2010-11~~ 2012-13.

3 **SECTION 1391.** 49.175 (1) (f) of the statutes is amended to read:

4 49.175 (1) (f) *Wisconsin Works ancillary services.* For program services under
5 Wisconsin Works provided under contracts under s. 49.143, ~~\$38,471,500~~ \$54,846,300
6 in fiscal year ~~2009-10~~ 2011-12 and ~~\$35,471,500~~ \$45,637,000 in fiscal year ~~2010-11~~
7 2012-13.

8 **SECTION 1392.** 49.175 (1) (g) of the statutes is amended to read:

9 49.175 (1) (g) *State administration of public assistance programs and costs of*
10 *overpayment collections.* For state administration of public assistance programs and
11 ~~costs associated with the collection of public assistance overpayments, \$16,985,900~~
12 ~~in fiscal year 2009-10 and \$17,091,700~~ \$12,322,400 in each fiscal year ~~2010-11~~.

13 **SECTION 1393.** 49.175 (1) (i) of the statutes is amended to read:

14 49.175 (1) (i) *Emergency assistance.* For emergency assistance under s. 49.138,
15 ~~\$6,500,000~~ and for transfer to the department of administration for low-income
16 energy or weatherization assistance programs, \$6,200,000 in fiscal year ~~2009-10~~
17 2011-12 and ~~\$6,000,000~~ in fiscal year ~~2010-11~~ 2012-13.

18 **SECTION 1394.** 49.175 (1) (p) of the statutes is amended to read:

19 49.175 (1) (p) *Direct child care services.* For direct child care services under s.
20 49.155, ~~\$384,987,600~~ \$290,042,500 in fiscal year ~~2009-10~~ 2011-12 and ~~\$402,496,800~~
21 \$288,018,300 in fiscal year ~~2010-11~~ 2012-13.

22 **SECTION 1395.** 49.175 (1) (q) of the statutes is amended to read:

23 49.175 (1) (q) *Child care state administration and child care licensing*
24 *activities.* For administration of child care programs under s. 49.155 and the
25 allocation under s. 49.155 (1g) (c) for child care licensing activities, ~~\$8,534,700~~

BILL**SECTION 1395**

1 ~~\$21,061,700~~ in fiscal year ~~2009-10~~ 2011-12 and ~~\$8,889,700~~ \$21,143,400 in fiscal
2 year ~~2010-11~~ 2012-13.

3 **SECTION 1396.** 49.175 (1) (qm) of the statutes is amended to read:

4 49.175 (1) (qm) *Quality care for quality kids.* For the child care quality
5 improvement activities specified in s. 49.155 (1g), ~~\$5,384,600~~ \$13,486,700 in fiscal
6 year ~~2009-10~~ 2011-12 and ~~\$5,384,600~~ \$13,169,400 in fiscal year ~~2010-11~~ 2012-13.

7 **SECTION 1397.** 49.175 (1) (r) of the statutes is amended to read:

8 49.175 (1) (r) *Children of recipients of supplemental security income.* For
9 payments made under s. ~~49.775~~ 49.395 for the support of the dependent children of
10 recipients of supplemental security income, ~~\$29,899,800~~ in fiscal year ~~2009-10~~ and
11 ~~\$29,933,200~~ \$31,232,200 in each fiscal year thereafter.

12 **SECTION 1398.** 49.175 (1) (s) of the statutes is amended to read:

13 49.175 (1) (s) *Kinship care, long-term kinship care, and foster care assistance.*
14 For the kinship care and long-term kinship care programs under s. 48.57 (3m), (3n),
15 and (3p) and for foster care for relatives under s. 48.62, ~~\$24,435,000~~ in fiscal year
16 ~~2009-10~~ and ~~\$24,435,000~~ \$21,375,800 in each fiscal year ~~2010-11~~.

17 **SECTION 1399.** 49.175 (1) (v) of the statutes is created to read:

18 49.175 (1) (v) *Program improvement plan.* For services provided under the
19 child welfare program improvement plan developed under 45 CFR 1355.35, ~~\$680,400~~
20 in fiscal year 2011-12 and ~~\$1,360,800~~ in each fiscal year thereafter.

21 **SECTION 1400.** 49.175 (1) (zh) of the statutes is amended to read:

22 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of
23 moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation
24 account under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$6,664,200~~ in fiscal
25 year ~~2009-10~~ and ~~\$6,664,200~~ \$43,664,200 in each fiscal year ~~2010-2011~~.

BILL**SECTION 1401**

SECTION 1401. 49.19 (5) (d) of the statutes is amended to read:

49.19 (5) (d) The department shall ~~reimburse the county for~~ pay the funeral, burial, and cemetery expenses of a dependent child or the child's parents as provided in s. 49.785.

SECTION 1402. 49.19 (19m) of the statutes is amended to read:

49.19 (19m) Notwithstanding subs. (1) to (19), no aid may be paid under this section for a child on whose behalf a payment is made under s. ~~49.775~~ 49.395.

SECTION 1403. 49.197 (1m) of the statutes is amended to read:

49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.437 (2) (dz), (kx), (L), (mc), (md), (me), and (nL), the department shall establish a program to investigate suspected fraudulent activity on the part of recipients of aid to families with dependent children under s. 49.19, supplemental security income payments under s. 49.77, 2009 stats., or s. 49.39, and payments for the support of children of supplemental security income recipients under s. 49.775, 2009 stats., or s. 49.395, on the part of participants in the Wisconsin Works program under ss. 49.141 to 49.161, and, if the department of health services contracts with the department under sub. (5), on the part of recipients of medical assistance under subch. IV, food stamp benefits under the food stamp program under 7 USC 2011 to 2036, ~~supplemental security income payments under s. 49.77, payments for the support of children of supplemental security income recipients under s. 49.775,~~ and health care benefits under the Badger Care health care program under s. 49.665. The department's activities under this subsection may include, but are not limited to, comparisons of information provided to the department by an applicant and information provided by the applicant to other federal, state, and local agencies, development of an advisory welfare investigation prosecution standard, and

BILL**SECTION 1403**

1 provision of funds to county departments under ss. 46.215, 46.22, and 46.23 and to
2 Wisconsin Works agencies to encourage activities to detect fraud. The department
3 shall cooperate with district attorneys regarding fraud prosecutions.

4 **SECTION 1404.** 49.197 (1m) of the statutes, as affected by 2011 Wisconsin Act
5 (this act), is amended to read:

6 49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.437 (2)
7 (dz), (kx), (L), (mc), (md), (me), and (nL), the department shall establish a program
8 to investigate suspected fraudulent activity on the part of recipients of aid to families
9 with dependent children under s. 49.19, on the part of recipients of benefits under
10 the supplemental nutrition assistance program under 7 USC 2011 to 2036,
11 supplemental security income payments under s. 49.77, 2009 stats., or s. 49.39, and
12 payments for the support of children of supplemental security income recipients
13 under s. 49.775, 2009 stats., or s. 49.395, on the part of participants in the Wisconsin
14 Works program under ss. 49.141 to 49.161, and, if the department of health services
15 contracts with the department under sub. (5), on the part of recipients of medical
16 assistance under subch. IV, ~~food stamp benefits under the food stamp program under~~
17 ~~7 USC 2011 to 2036,~~ and health care benefits under the Badger Care health care
18 program under s. 49.665. The department's activities under this subsection may
19 include, but are not limited to, comparisons of information provided to the
20 department by an applicant and information provided by the applicant to other
21 federal, state, and local agencies, development of an advisory welfare investigation
22 prosecution standard, and provision of funds to county departments under ss.
23 46.215, 46.22, and 46.23 and to Wisconsin Works agencies to encourage activities to
24 detect fraud. The department shall cooperate with district attorneys regarding
25 fraud prosecutions.

BILL**SECTION 1405**

SECTION 1405. 49.197 (2) (cm) of the statutes is amended to read:

49.197 (2) (cm) Any amounts recovered with respect to the child care subsidy program under s. 49.155 by a county department in a county having a population of 500,000 or more as a result of a program under par. (b) or due to the efforts of an employee of such a county who is supervised by the department ~~or the department of health services under s. 49.825~~ shall be credited to the appropriation account under s. 20.437 (2) (me).

SECTION 1406. 49.197 (3) of the statutes is amended to read:

49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161, the supplemental security income payments program under s. 49.39, the program providing payments for the support of children of supplemental security income recipients under s. 49.395, and, if the department of health services contracts with the department under sub. (5), the Medical Assistance program under subch. IV, the food stamp program under 7 USC 2011 to 2036, ~~the supplemental security income payments program under s. 49.77, the program providing payments for the support of children of supplemental security income recipients under s. 49.775,~~ and the Badger Care health care program under s. 49.665.

SECTION 1407. 49.197 (3) of the statutes, as affected by 2011 Wisconsin Act (this act), is amended to read:

49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct activities to reduce payment errors in Wisconsin Works under ss. 49.141 to 49.161, the supplemental nutrition assistance program under 7 USC 2011 to 2036, the supplemental security income payments program under s. 49.39, and the program providing payments for the support of children of supplemental security income